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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
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In the Matter of )  
 )  
Advanced Television Systems )  
and Their Impact upon the )  
Existing Television Broadcast )  
Service )

MM Docket No. 87-268

To: The Commission

**REPLY COMMENTS OF THE COUNTY OF LOS ANGELES**

The County of Los Angeles ("County"), by its attorneys, hereby submits the following reply to comments filed in the Commission's Sixth Further Notice of Proposed Rulemaking ("6<sup>th</sup> FNPRM") in the above-captioned "Advanced Television Systems" proceeding, FCC 96-317, released August 14, 1996.

The County's initial comments supported the Commission's plan to reallocate UHF Television channels 60-69 for non-broadcast uses, including public safety services. In addition, the County supported APCO's recommendation that the Commission attempt to modify its proposed core spectrum plan to permit the eventual recovery of VHF channel 7 for public safety use and additional land mobile sharing of channels 14-20. The County's initial comments stressed that the Commission must make at least 24 MHz of spectrum available for public safety use in the next five years to properly implement recent recommendations of the Public Safety Wireless Advisory Committee ("PSWAC").

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The County agrees with numerous commenters in this proceeding who support the Commission's proposal to reallocate existing broadcast spectrum to new uses, including public safety services.<sup>1</sup> Specifically, the County agrees with those commenters who recommend that the Commission tightly pack DTV channel allotments into the core spectrum area with the goal to free up immediately as much spectrum as possible for reallocation.<sup>2</sup> In this regard, the County endorses Motorola's channel spectrum plan that would increase the immediate availability of frequencies between channels 60-69 by limiting to five or fewer, the number of channels used in that band for the transition to DTV.

Motorola's spectrum plan would increase the immediate availability of frequencies in channels 60-69 to major market areas such as Los Angeles, where additional spectrum is desperately needed for public safety use. Under the Motorola plan, the Commission would not allot any channel 60-69 DTV channels to the Los Angeles area. This is a substantial improvement over the Commission's DTV allotment plan which would place new DTV stations on channel 60 in Los Angeles, channel 67 in Ontario, and channel 66 in Santa Anna, California. These three allotments, combined with existing NTSC allotments, would significantly reduce the amount of spectrum made available for reallocation.<sup>3</sup>

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<sup>1</sup> See Comments of APCO; Comments of IMSA/IAFC; Comments of Ericsson; Comments of Motorola; Comments of the Major City Chiefs; Comments of the State of California.

<sup>2</sup> See Comments of Ericsson; Comments of Motorola; Comments of APCO.

<sup>3</sup> However, while the County endorses the Motorola plan, it cautions that the plan also includes a DTV allotment on channel 15 in the Los Angeles area. This creates a potential for destructive interference to the land mobile operations of public safety agencies in the Los Angeles area that utilize UHF channels 14 and 16. The Commission should attempt to eliminate this channel 15 allotment. If that cannot be accomplished, the Commission must adopt rules protecting incumbent public safety users. This may require the DTV station allotted channel 15 to contours, power, shielding, or other technical characteristics in order to avoid interference.

The County notes the Broadcasters have concluded that VHF channels 2-6 may be usable for providing DTV service.<sup>4</sup> The Commission should carefully consider whether these channels may be used for the transition to DTV in place of other DTV allotments. That might result in additional spectrum becoming available on other channels for reallocation to public safety.

The Broadcasters' comments propose that in order for the transition to DTV to be implemented, the Commission must allot the entire existing broadcast band, including channels 60-69, to the transition to DTV. The County strongly opposes any efforts by the broadcasters to prevent the release of spectrum located between channels 60-69. In line with the Commission's goals in this proceeding, the County stressed in its initial comments that it is time for the Broadcasters to make more efficient use of valuable and scarce spectrum resources. The Broadcasters' suggestion that the entire existing broadcast band must be utilized for the transition to DTV completely undermines that spectrum efficiency goal. Instead, the Commission should adopt its core spectrum plan, as modified by Motorola, to accomplish the goal of efficient utilization of scarce spectrum resources.

The County is also firmly opposed to the Broadcasters' absurd proposal to reduce land mobile radio use of channels 14-20. This proposal would take away spectrum that is heavily utilized by public safety agencies in Los Angeles, as well as other major metropolitan areas around the country, for critical life and property protection services. Los Angeles County is the licensee of a 55 channel public safety land mobile radio communications system operating on UHF channel 16 frequencies, and a mobile data communications system operating on UHF channel 14 frequencies. These channels provide the vast majority of mobile and portable radio

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communications for the Los Angeles County Sheriff's Department. In addition, 470-512 MHz TV channels are utilized by the Los Angeles County Fire Department, the City of Los Angeles Police and Fire Departments, and the cities of Burbank, Glendale, Whittier, Redondo Beach, El Segundo, Manhattan Beach, Gardena, Hawthorne, Santa Monica, Alhambra, Culver City, Montebello, and Pasadena, California for their public safety communications systems.

Any consideration by the Commission to reduce the use of channels 14-20 by land mobile services poses a significant problem to critical land mobile operations, especially public safety. This proceeding is not designed under any circumstances as a forum to contemplate taking away spectrum currently utilized for vital public safety services. The Commission must, therefore, ignore the Broadcasters proposal, and focus on freeing up spectrum for public safety services.

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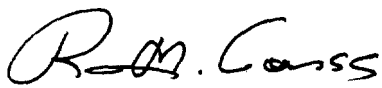
<sup>4</sup> See Comments of AMST at 36; Comments of NBC at 2.

## CONCLUSION

For the reasons stated above, the Commission should act expeditiously to reallocate existing broadcast spectrum for public safety use. Without immediate action, public safety agencies such as those in Los Angeles will be threatened with a severe shortage of usable radio spectrum to meet their critical life and property protection functions.

Respectfully submitted,

THE COUNTY OF LOS ANGELES

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